

**PUBLIC EMPLOYEES' RETIREMENT SYSTEM
BOARD OF ADMINISTRATION
2008 Legislative Year**

Status as of October 1, 2008

C - Chaptered Bills

Bill Number Version	Author	Summary	Board Position	Status
AB 545 C-09/30/2008	Walters	Service Retirement: JRS II - Military Leave Allows CalPERS to process applications to purchase service credit for active duty military leave by members of the Judges Retirement System II (JRS II), to comply with the federal Uniformed Services Employment and Reemployment Rights Act (USERRA).		09/30/2008- Chaptered by the Secretary of State, Chapter No. 626, Statutes of 2008
AB 1203 C-09/30/2008	Salas	Health Care Service Plans: Poststabilization Care Prohibits a noncontracting hospital that fails to contact a health care service plan to provide poststabilization care from billing the enrollee for poststabilization care, except for applicable copayments, coinsurance, and deductibles, unless the patient assumes financial responsibility for the care, as specified, or the hospital is unable to obtain the health care service plan's name and contact information, as specified. The bill would delete the requirement that a health care service plan contacted for poststabilization care authorization discuss the enrollee's medical record with an appropriate hospital representative and would instead require the noncontracting hospital's representative, upon receiving authorization for poststabilization care, to request the patient's medical record from the patient's plan or its contracting medical provider. In addition, the bill would specifically require that a health care service plan, or its contracting medical providers, provide 24-hour access for noncontracting hospitals to obtain timely authorization for poststabilization care, as specified.	Support	09/30/2008- Chaptered by the Secretary of State, Chapter No. 603, Statutes of 2008

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AB 1844 C-09/27/2008	Hernandez	Public Employee Benefits (1) Establishes a definition of, and penalties for, fraud when done so in connection with benefits, or an application for benefits, administered by CalPERS, CalSTRS or '37 Act County System. (2) Allows CalPERS investigators increased access to information maintained by the EDD or by the workers' compensation insurers with respect to an investigation of benefit eligibility or unlawful application for, or receipt of benefits. (3) Requires public agencies to report electronically the most current actuarial valuation within 9 months of end of fiscal year to the State Controller. Also requires the State Controller to develop cost-effective procedure to collect and report this information and post on Controller's web site. (4) Requires State Controller to publish its annual report on financial condition of all state and local public retirement systems within 12 months of receiving information from systems and agencies, but no more than 18 months after the end of the fiscal year.	Support	09/27/2008- Chaptered by the Secretary of State, Chapter No. 369, Statutes of 2008
AB 1874 C-09/26/2008	Coto	Exclusion from Membership: State Fund Board Members Expands the Board of Directors of the State Compensation Insurance Fund from five to 11 members, specifies by whom each member must be appointed, term limits, and eligibility and training requirements. Also authorizes annual compensation of \$50 thousand and excludes directors from the Public Employees Retirement System.		09/26/2008- Chaptered by the Secretary of State, Chapter No. 322, Statutes of 2008
AB 1936 C-07/22/2008	Emmerson	Public Agency Definition: Nonprofit Mutual Water Companies Authorizes a nonprofit mutual water company to enter into a contract with CalPERS for participation of the agency's employees as members of the system if the agency obtains a ruling from the U.S. Department of Labor defining it as a public agency. Company must also comply with the Public Records Act and the Brown Act to qualify as a public agency.	Neutral	07/22/2008- Chaptered by the Secretary of State, Chapter No. 191, Statutes of 2008
AB 2023 C-09/27/2008	Houston	Disability Benefits Requires the granting of disability retirement benefits to public employees in California be based solely on competent medical opinion, and expressly prohibits personnel, disciplinary, or other ancillary considerations as the basis for granting these benefits.	Support	09/27/2008- Chaptered by the Secretary of State, Chapter No. 370, Statutes of 2008

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AB 2156 C-07/08/2008	Hernandez	Safety Members: Special Death Benefit Clarifies eligibility for the special death benefit by stating that an injury that results in a persistent vegetative state lasting until the member's death qualifies that member's dependants for the special death benefit and continued health coverage.	Neutral	07/08/2008- Chaptered by the Secretary of State, Chapter No. 74, Statutes of 2008
AB 2202 C-08/04/2008	Caballero	CalPERS Minor Policy Bill 1) Requires every state agency, school employer or contracting agency of CalPERS to provide to the board, upon request, information regarding its employees who are not enrolled as members of CalPERS; and 2) would allow CalPERS to enter into an agreement with a public agency to terminate a portion of its contract with respect to inactive member groups and merge the inactive member group plan into the terminated agency pool.	Sponsor	08/04/2008- Chaptered by the Secretary of State, Chapter No. 261, Statutes of 2008
AB 2287 C-09/27/2008	Evans	Firefighters: Health Benefits This bill would require an employer to notify CalPERS of the death of a firefighter or peace officer within 10 business days of the employee's death, rather than the ten calendar days required by existing state law. It also makes technical, clarifying changes to the definition of a surviving spouse.		09/27/2008- Chaptered by the Secretary of State, Chapter No. 455, Statutes of 2008
AB 2794 C-09/27/2008	Blakeslee	Diagnostic Imaging Service Billing Prohibits a healing arts practitioner from charging, billing, or soliciting payment from any patient, client, or 3rd-party payer, as defined, for performance of the technical component of specified diagnostic imaging services not rendered by the licensees or persons under their supervision. Also requires a radiological facility or imaging center performing the technical component of those diagnostic imaging services to directly bill either the patient or the responsible 3rd-party payer for the services, and would prohibit the radiological facility or imaging center from billing the licensee who requested the services. The bill would exempt specified persons, radiological facilities, imaging centers, clinics, health care programs, or the performance of diagnostic imaging services within a licensee's office, from these provisions.		09/27/2008- Chaptered by the Secretary of State, Chapter No. 469, Statutes of 2008

Bill Number Version	Author	Summary	Board Position	Status
AB 2838 C-09/27/2008	Duvall	Service Credit Purchases For Approved Absences Caused By Serious Illness Allows a member to purchase service credit for an unpaid, approved absence caused by a serious illness, upon their return to active service.	Support	09/27/2008- Chaptered by the Secretary of State, Chapter No. 470, Statutes of 2008
SB 608 C-02/28/2008	Wiggins	JRS Optional Settlements Restores in statute, the ability of judges that have attained the minimum age for service retirement with at least 20 years of service to irrevocable elect to designate their spouse to receive an optional settlement 2 in lieu of a pre-retirement death benefit, under the same provisions of law in effect prior to January 1, 2005, which provides the surviving spouse a monthly allowance equal to the actuarial equivalent of the member's earned retirement. Also honors elections made by judges between January 1, 2003 and January 1, 2007 that designated their spouse or someone other than their spouse to receive this specific pre-retirement optional settlement.		02/28/2008- Chaptered by the Secretary of State, Chapter No. 1, Statutes of 2008
SB 1123 C-09/27/2008	Wiggins	Pension and OPEB Benefit Cost Estimate Best Practices and Disclosure Requires state and local legislative bodies, including community college districts, to review the impact of future annual costs associated with OPEB increases before their approval. These actuarial impact statements must include normal cost and any additional accrued liability, produced by an actuary, signed by the agency chief executive officer, and made public at a meeting of the legislative body at least two weeks prior to its adoption. It also requires an actuary to attend the meeting where the adoption of a new pension benefit or OPEB is considered, and prohibits the legislative body from approving new benefits or benefit increases by means of a consent calendar. In addition, the bill creates a California Actuarial Advisory Panel (Panel) to provide impartial and independent information on pensions, OPEB's, and best practices to the public agencies.	Support	09/27/2008- Chaptered by the Secretary of State, Chapter No. 371, Statutes of 2008
SB 1472 C-09/26/2008	Ashburn	CEA Eligibility This bill would expand eligibility to apply for a CEA position to individuals who have previously had civil service status, or to those who were employed by the legislature for two or more years. This expanded eligibility would lapse on January 1, 2013 unless extended by the legislature. Additionally, the bill would modify the final compensation calculations for these individuals.		09/26/2008- Chaptered by the Secretary of State, Chapter No. 353, Statutes of 2008

Bill Number Version	Author	Summary	Board Position	Status
SB 1496 C-09/27/2008	Ashburn	Membership Classification of Excluded and Exempt State Peace Officers Clarifies the criteria that allows the DPA to limit the elibility of excluded and exempt state employees that meet the statutory definition of peace officer, for membership in the CalPERS State Peace Officer/Firefighter classification, to those employees whose primary responsibilities consist of 1) direct supervision of state peace officer/firefighter personnel, 2) conducting investigations or audits within the Department of Corrections and Rehabilitation, or 3) the administration state program functions or units primarily engaged in active law enforcement or fire suppression. In addition, it requires the DPA provide annual reports to CalPERS and the Legislature regarding these determinations.		09/27/2008- Chaptered by the Secretary of State, Chapter No. 408, Statutes of 2008
